IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 236 OF 1985.

KMA Ltd. ... Plaintiff.

Versus.

The Board of Trustees of the Port of Bombay and another. ... Defendants.

Shri Mayank Mishra i/by M/s.Wadia Ghandy & Co. for the Plaintiff.

Ms.Priti Shah i/bny M/s.Mulla & Mulla C.B.C. for the Defendants.

CORAM : ABHAY S.OKA, J.

DATED : 2nd August, 2007.

P.C.:

1. The written statement of the 1st Defendant is taken on record. The learned Counsel appearing for the Plaintiff states that the Advocates on record for the Plaintiff are unable to contact the Plaintiff as the whereabouts of the Plaintiff are not known. He states that the Advocates on record have received no instructions from the Plaintiff and therefore, the Advocates for the Plaintiff will have to apply for discharge.

2. The suit is of the year 1985. Considering the statements made by the Counsel for the Plaintiff, it is obvious that the Plaintiff is not interested in prosecuting the suit. Hence the suit is dismissed for non-prosecution.

Judge.